



US Army Corps
of Engineers
Seattle District

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495
ATTN: Ann Uhrich, Project Manager

Public Notice Date: October 7, 2005
Expiration Date: November 7, 2005
Reference: 200001502
Name: IDC Enterprises

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: IDC Enterprises LP
c/o Kohl Excavating, Inc.
3330 East Valley Road
Renton, Washington 98055
ATTN: Mr. Jory Edwards
Telephone: (425) 251-8820

LOCATION: Wetlands adjacent to ditch draining to Mill Creek, at Auburn, King County, Washington.

WORK: Retain 0.22 acre of fill (wetland A) and place fill in 1.90 acres of wetland (wetland B). A 12-foot wide wetland along the south property line would not be filled. Fill total would cover 2.12 acres of wetlands. To retain Phase 1 and build Phase 2 of a manufacturing and warehouse facility (light industrial). Overall project purpose is to construct an economically viable manufacturing/warehouse facility in the Green River Valley.

PURPOSE: To provide manufacturing and warehouse space.

ADDITIONAL INFORMATION: Fill in northern wetland on-site was authorized by Nationwide Permit 39 in Sept. 2000 by DA permit number 199901670. Applicant was allowed to defer construction of 0.72 acre of on-site mitigation, in favor of higher quality off-site mitigation, as long as they posted a bond with the City of Auburn and developed a detailed off-site mitigation plan. They submitted said plan in Nov. 2000, and filed a bond for \$25,946 with the City in Sept. 2000. The wetlands are part of "wetland 5C" as mapped in the Mill Creek Special Area Management Plan (SAMP), and are identified as lower grade wetlands in the Mill Creek sub-basin that would potentially qualify for fill if the proponent developed mitigation adjacent to Mill Creek proper and met other permit process requirements. The SAMP is a plan developed and approved by the Corps of Engineers, King County, and the cities of Auburn and Kent, to retain and enhance the functions of Mill Creek and its many associated wetlands. (If this permit application were to be denied, the applicant will still construct compensatory mitigation for filling of wetlands in Phase 1, as required by permit 199901670.)

MITIGATION: Applicant proposes to construct off-site mitigation in the City of Kent, adjacent to Mill Creek near its confluence with the Green River, and some on-site mitigation. The wetlands to be filled have been classified as emergent (wetland A) and scrub/shrub (wetland B). The *off-site* proposal is to create 2.91 acres of new scrub-shrub wetland, including trees, on a 5.04-acre site abandoned for agricultural use. It has no

wetlands on it now. Work will include stream buffer enhancement along Mill Creek. *On-site*, they also propose 0.14 acre of wetland buffer enhancement along the western property line, and 0.05 acre of buffer enhancement along the wetland at the south property line. Parties wishing to review and comment on the compensatory mitigation proposal may request a copy from the Corps' project manager, address above. The document is "IDC Enterprises Phase 2 Off-site and Project Site Wetland Mitigation Plan," dated November, 2000.

ENDANGERED SPECIES:

The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The bald eagle (*Haliaeetus leucocephalus*) threatened, Puget Sound Chinook (*Oncorhynchus tshawytscha*) threatened, and Coastal/Puget Sound bull trout (*Salvelinus confluentus*) threatened in the state of Washington, may occur in the proposed project area and the proposed mitigation area. For Puget Sound Chinook and Coastal/Puget Sound bull trout, critical habitat has been designated.

After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to the bald eagle, Puget Sound Chinook, and Coastal/Puget Sound bull trout, and potential impacts to critical habitat for Puget Sound Chinook and Coastal/Puget Sound bull trout.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 5.04 acres of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species near the mouth of Mill Creek.

If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area for the work on the development site or in the off-site mitigation area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property.

The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which

reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

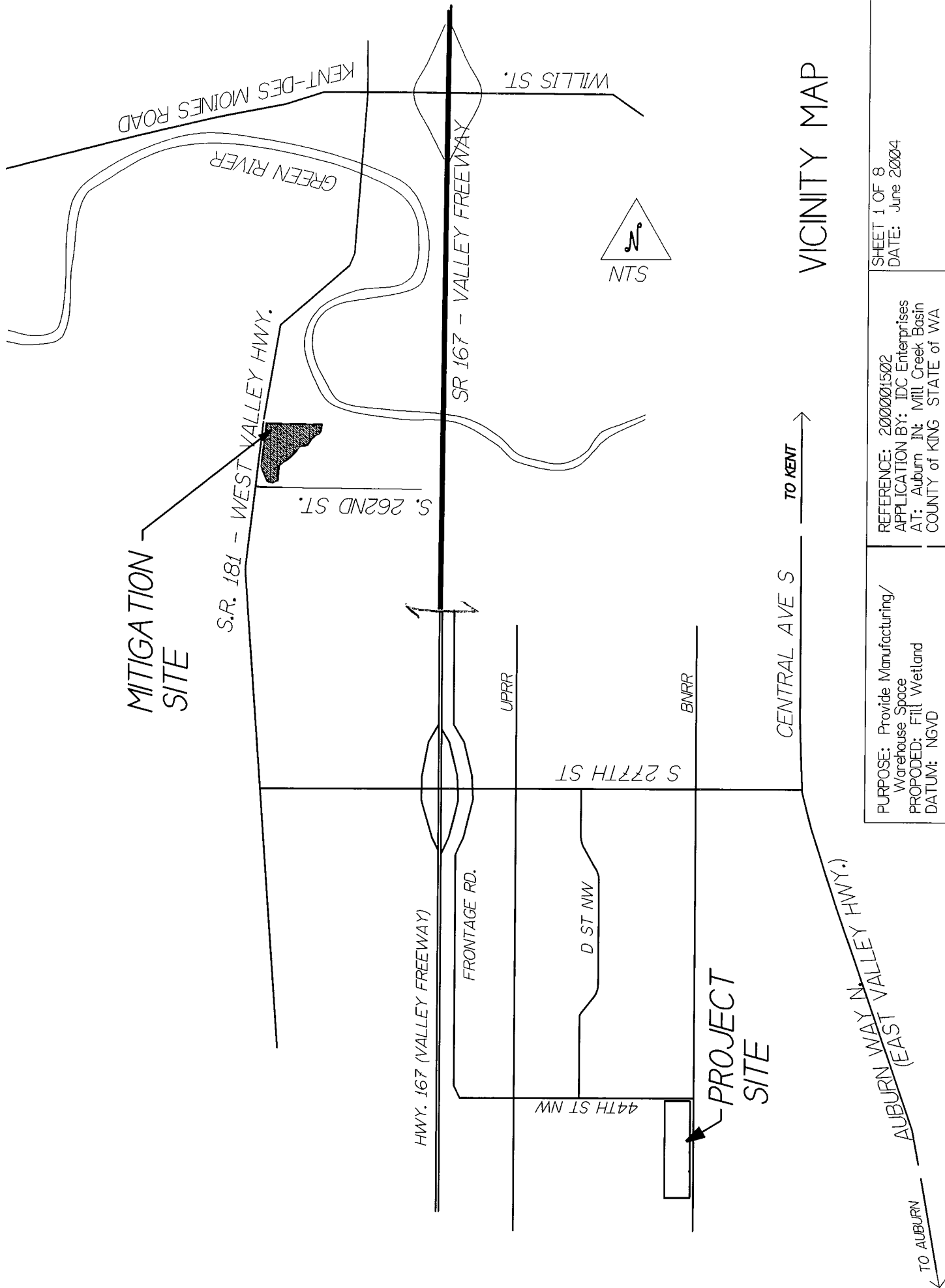
The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

ADDITIONAL EVALUATION: The State of Washington is reviewing this work for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to Ann.R.Uhrich@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

IDC Enterprises, 200001502

Encl
Drawings (8)



VICINITY MAP

SHEET 1 OF 8
DATE: June 2004

REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

PURPOSE: Provide Manufacturing/
Warehouse Space
PROPOSED: Fill Wetland
DATUM: NGVD

PROJECT SITE LEGAL

LOT 14 OF WHITE RIVER VALLEY HOME TRACTS RECORDED AT KING COUNTY
VOL.13 PAGE 17
ADDRESS 208 - 44th ST. N.W.

MITIGATION SITE LEGAL

LEGAL DESCRIPTION:

THAT PORTION OF GOVERNMENT LOT 4 AND 16, SECTION 25,
TOWNSHIP 22 NORTH, RANGE 4 EAST, W.M. IN KING COUNTY,
WASHINGTON, DESCRIBED AS FOLLOWS:

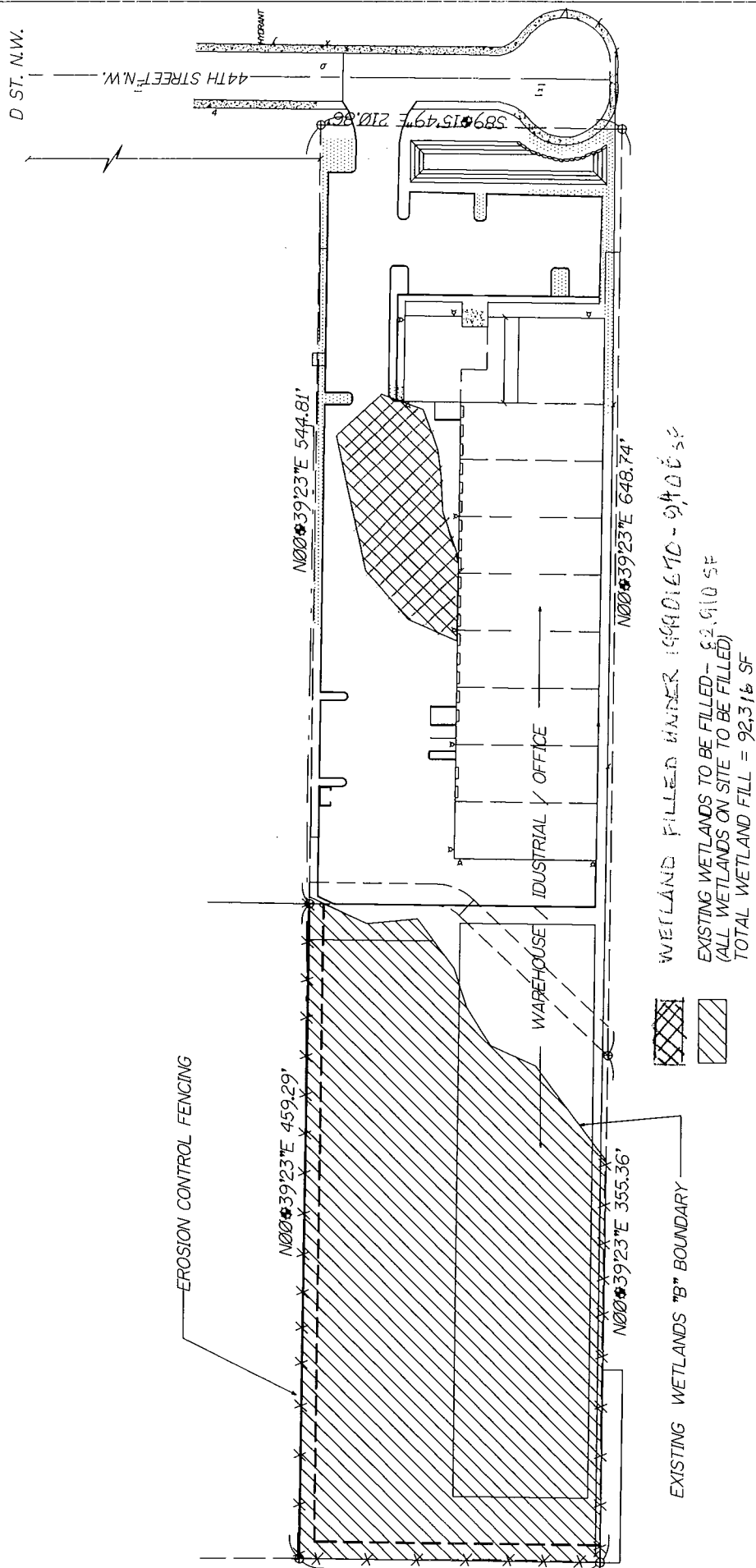
BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF SAID
GOVERNMENT LOT 16 WITH THE EASTERLY LINE OF STATE AID
ROAD NO. 65, SAID INTERSECTION BEING ON THE NORTH LINE
OF MOSES KIRKLAND DONATION CLAIM NO. 40 AT A POINT WHICH
IS N89 21'15"E 2270.70 FEET FROM THE NORTHWEST CORNER
OF SAID DONATION LAND CLAIM PLUS OR MINUS
THENCE ALONG SAID ROAD LINE N08 00"E 154.47 FEET PLUS OR MINUS
THENCE PARALLEL WITH SAID LOT LINE N89 21'15"E 590.50 FEET TO THE
CENTERLINE OF A SLOUGH PLUS OR MINUS
THENCE SOUTHWESTERLY ALONG SAID SLOUGH LINE TO A POINT WHICH
BEARS N5'06'00"E 79.74 FEET AND N89 21'15"E 57.43 FROM THE POINT OF
BEGINNING PLUS OR MINUS
THENCE SOUTHEASTERLY ALONG SAID SLOUGH LINE TO A POINT WHICH IS
N89 21'15"E 591.17 FEET AND N0 38'45" W 65 FEET FROM SAID POINT OF
BEGINNING PLUS OR MINUS
THENCE SOUTHWESTERLY ALONG SAID SLOUGH LINE TO A POINT ON THE
SOUTH LINE OF SAID GOVERNMENT LOT 16, WHICH IS N89 21'15"E 501.17 FEET
FROM THE POINT OF BEGINNING PLUS OR MINUS
THENCE S89 21'15"W 501.17 FEET TO POST OF BEGINNING PLUS OR MINUS

AND COMMENCING AT THE NORTHWEST CORNER OF MOSES
KIRKLAND DONATION CLAIM NO. 40 IN SECTION 26, TOWNSHIP 22
NORTH, RANGE 4 EAST, WM, IN KING COUNTY, WASHINGTON PLUS OR MINUS
THENCE ALONG THE NORTH LINE OF SAID DONATION CLAIM
N89 21'15"W 2270.70 FEET TO EASTERLY MARGIN OF STATE AID
ROAD NO. 69, AND TRUE POINT OF BEGINNING OF THIS DESCRIPTION
PLUS OR MINUS
THENCE CONTINUING ALONG SAID NORTH LINE S89 21'15"E 501.17 FEET TO
THE CENTERLINE OF SLOUGH PLUS OR MINUS
THENCE FOLLOWING SAID CENTERLINE S32 10"W 86.26 FEET PLUS OR MINUS
THENCE S75 57"W 81.38 FEET PLUS OR MINUS
THENCE S37 02"W 80.16 FEET PLUS OR MINUS
THENCE S44 04"W 81.39 FEET PLUS OR MINUS
THENCE S49 24"W 145.61 FEET THENCE S1 50"W 152.66 FEET PLUS OR MINUS
THENCE S61 34"W 58.81 FEET PLUS OR MINUS THENCE N76 50"W 61.88 FEET
PLUS OR MINUS
THENCE N24 19'30"W 174.89 FEET TO EASTERLY MARGIN OF STATE AID ROAD
NO. 69 FEET PLUS OR MINUS THENCE ALONG SAID MARGIN N5 08"E 312.73
FEET TO POINT OF BEGINNING PLUS OR MINUS
(ALSO KNOWN AS LOT 1, ALVORD'S MOUNTAIN VIEW ACRE TRACTS,
UNRECORDED).

PURPOSE: Provide Manufacturing/
Warehouse Space
PROPOSED: Fill Wetland
DATUM: NGVD
ADJACENT PROPERTY OWNERS:
1. See Sheet 6

REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

SHEET 2 OF 8
DATE: June 2004



SITE PLAN

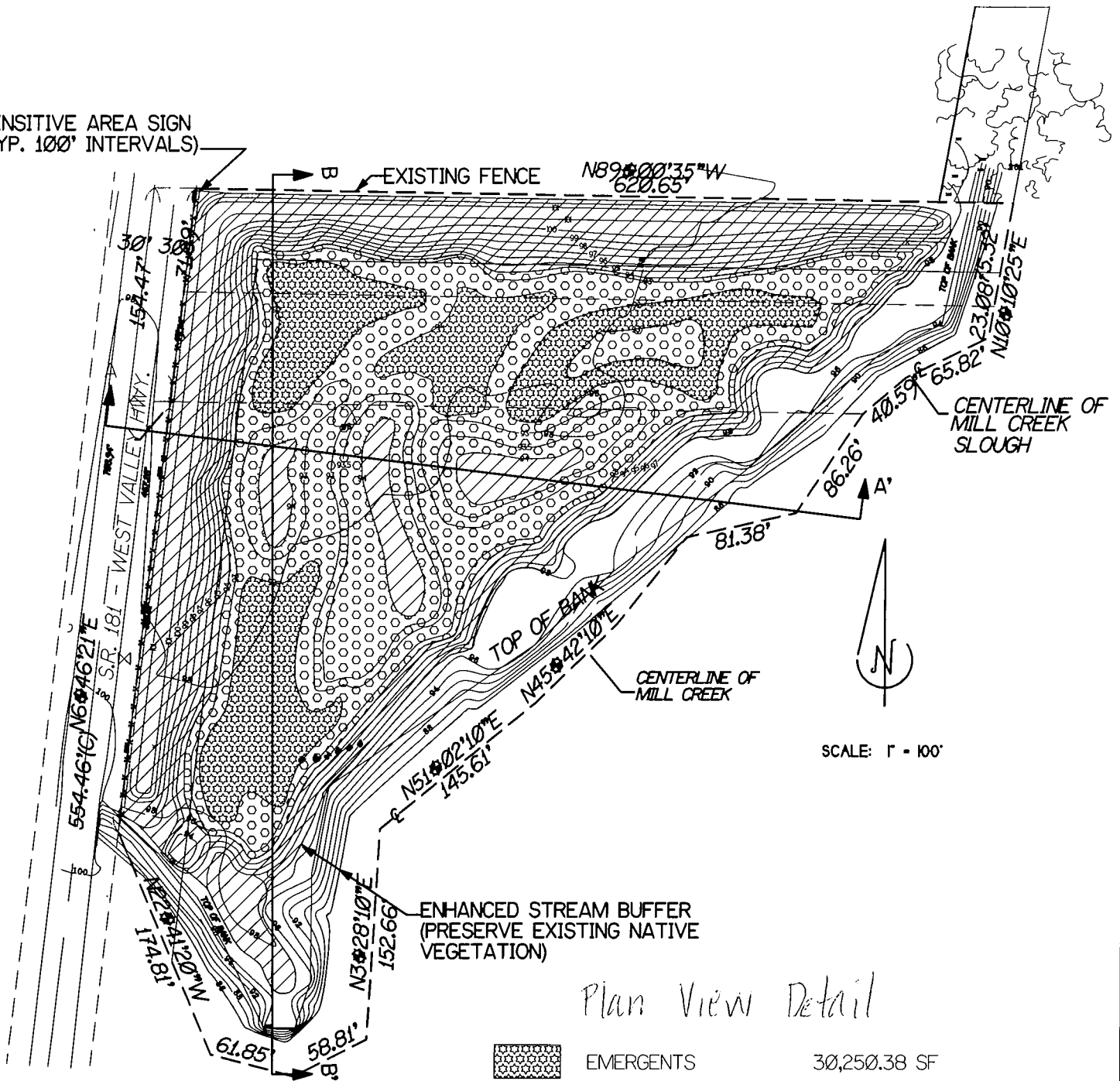
SCALE: 1" = 100'

PURPOSE: Provide Manufacturing/
Warehouse Space
PROPOSED: Fill Wetland
DATUM: NGVD

SHEET 3 OF 8
DATE: June 2004

REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

SENSITIVE AREA SIGN
(TYP. 100' INTERVALS)



SCALE: 1" = 100'

Plan View Detail



EMERGENTS

30,250.38 SF



UPLAND

67,212.44 SF



SCRUB-SHRUB

63,784.34 SF

STREAM BUFFER

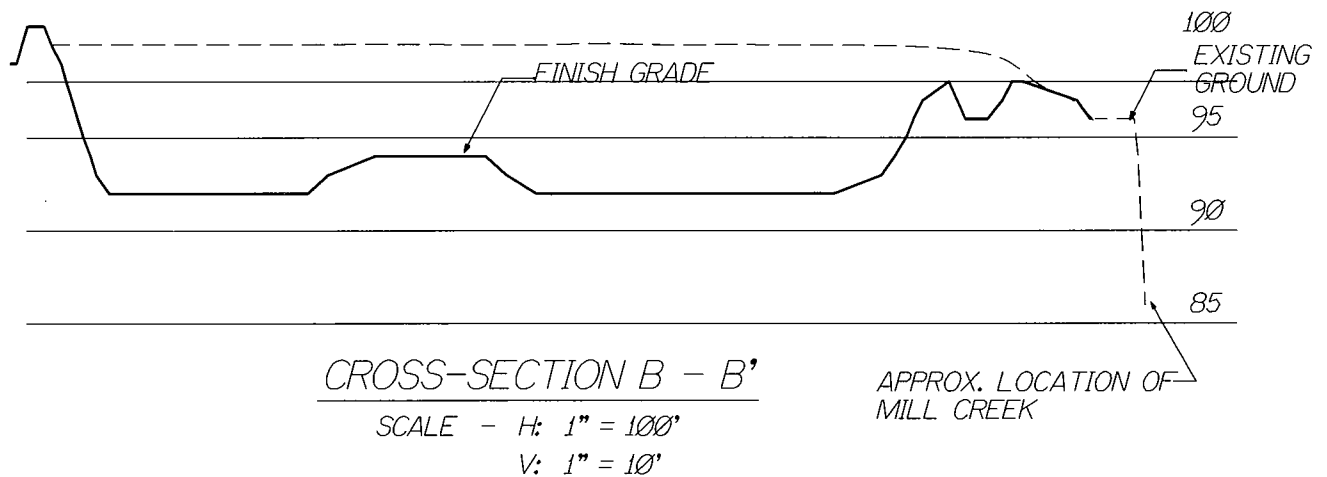
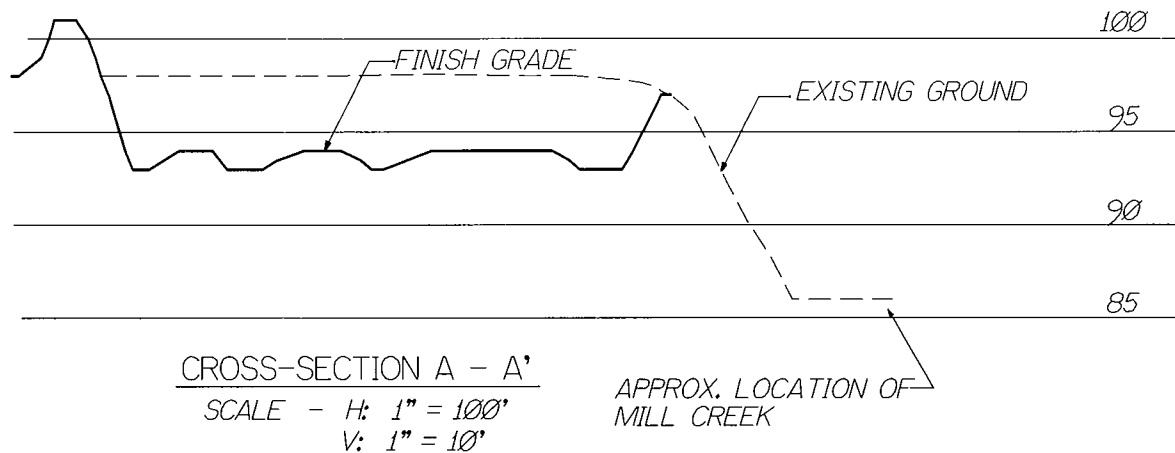
37,632.47 SF

Mitigation Site

PURPOSE: Provide Manufacturing/
Warehouse Space
PROPOSED: Fill Wetland
DATUM: NGVD

REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

SHEET 4 OF 8
DATE: June 2004



Mitigation Site Elevation Views

PURPOSE: Provide Manufacturing/
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DATUM: NGVD

REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

SHEET 5 OF 8
DATE: June 2004



C/O EPROPERTY TAX, INC.
DEPT. #207
P.O. BOX 4900
SCOTTSDALE, AZ 85261

44TH ST NW

KIPPER & SONS, ENGINEERS
310 44TH ST. NW
AUBURN, WA 98001

BNSF
P.O. BOX 96189
FT. WORTH, TX 76161

ADESA WASHINGTON, INC.
P.O. BOX 1586
AUBURN, WA 98071

Project Site

PURPOSE: Provide Manufacturing/
Warehouse Space
PROPOSED: Fill Wetland
DATUM: NGVD
ADJACENT PROPERTY OWNERS--
see above.

REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
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SHEET 6 OF 8
DATE: June 2004

OFF-SITE PLANT LIST

















PLANTING LIST

QNTY PLANT NAME SIZE SPACING

TREES

	96	Big Leaf Maple <i>Acer macrophyllum</i>	4-6'	as shown
	128	Red Alder <i>Alnus rubra</i>	4-6'	as shown
	112	Oregon Ash <i>Fraxinus latifolia</i>	4-6'	as shown
	19	Sitka Spruce <i>Picea sitchensis</i>	4-6'	as shown
	167	Quaking Aspen <i>Populus tremuloides</i>	4-6'	as shown
	126	Black Cottonwood <i>Populus balsamifera</i>	4-6"	as shown
	15	Bitter Cherry <i>Prunus emarginata</i>	4-6'	as shown
	170	Douglas Fir <i>Pseudotsuga menziesii</i>	4-6'	as shown
	27	Cascara <i>Rhamnus purshiana</i>	4-6'	as shown
	161	Pacific Willow <i>Salix lasiandra</i>	4-6'	as shown
	13	Sculer Willow- <i>Salix scouleriana</i>	4-6'	as shown
	42	Western Red Cedar <i>Thuja plicata</i>	4-6'	as shown

SHRUBS

	45	Vine Maple <i>Acer circinatum</i>	4-6'	as shown
	182	Red-osier Dogwood <i>Cornus stolonifera</i>	3-4'	48"o.c.
	86	Hazelnut <i>Corylus cornuta</i>	4-6'	as shown
	82	Black Hawthorn <i>Crataegus douglasii</i>	4-6'	as shown
	369	Oceanspray <i>Holodiscus discolor</i>	5 gal.	48"o.c.
	53	Black Twinberry <i>Lonicera involucra</i>	2 gal.	48"o.c.
	289	Mock-orange <i>Philadelphus lewisii</i>	5 gal.	as shown
	118	Pacific Ninebark <i>Physocarpus capitatus</i>	24-36"	48"o.c.
	279	Red-flowering Currant <i>Ribes sanguineum</i>	24-36"	36"o.c.
	451	Nootka Rose <i>Rosa nutkana</i>	24-36"	36"o.c.
	354	Clustered Rose <i>Rosa pisocarpa</i>	24-36"	36"o.c.
	193	Thimbleberry <i>Rubus parviflorus</i>	2 gal.	48"o.c.
	351	Salmonberry <i>Rubus spectabilis</i>	24-36"	48"o.c.
	191	Sitka Willow <i>Salix sitchensis</i>	4-6'	as shown
	25	Red Elderberry <i>Sambucus racemosa</i>	5 gal.	as shown
	151	Snowberry <i>Symphoricarpos albus</i>	24-36"	36"o.c.

BUFFER AREA SEED MIX
(All buffer areas disturbed during const.)
(Elev. 95-101)

25% Redtop Bentgrass
Agrostis alba
25% Perennial Rye
Elymus cineris
25% Idaho fescue
Festuca idahoensis
25% Red Fescue
Festuca rubra
Seeding rate: 3lb/1000 sq. feet

WETLAND AREA SEED MIX
(Elev. 93-95)
40% Tufted hairgrass
Deschampsia caespitosa
40% American slough grass
Beckmannia syriacne
20% Northwestern manna grass
Glyceria occidentalis
Seeding rate: 3lb/1000 sq. feet

EMERGENTS



xxxx	Slough Sedge <i>Carex obnupta</i>	18" o.c.	spring
xxxx	Small -fruited Bulrush <i>Scirpus microcarpus</i>	18" o.c.	spring
xxxx	Manna grass <i>Glyceria elata or borealis</i>	18" o.c.	spring
xxxx	Spike rush <i>Eleocharis palustris</i>	18" o.c.	spring

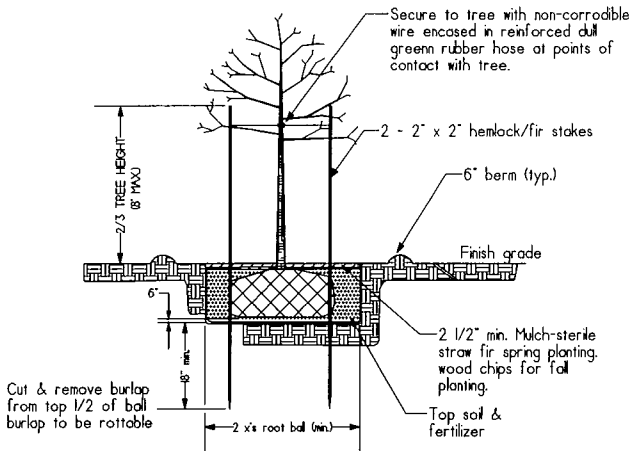
NOTE: WILLOW AND DOGWOOD SLIPS MAYBE SUBSTITUED FOR CONTAINERIZED SHRUBS. SLIPS WILL BE SUBSTITUED AT A 3:1 (SLIPS FOR SHRUBS)

Mitigation Site

PURPOSE: Provide Manufacturing/
Warehouse Space
PROPOSED: Fill Wetland
DATUM: NGVD

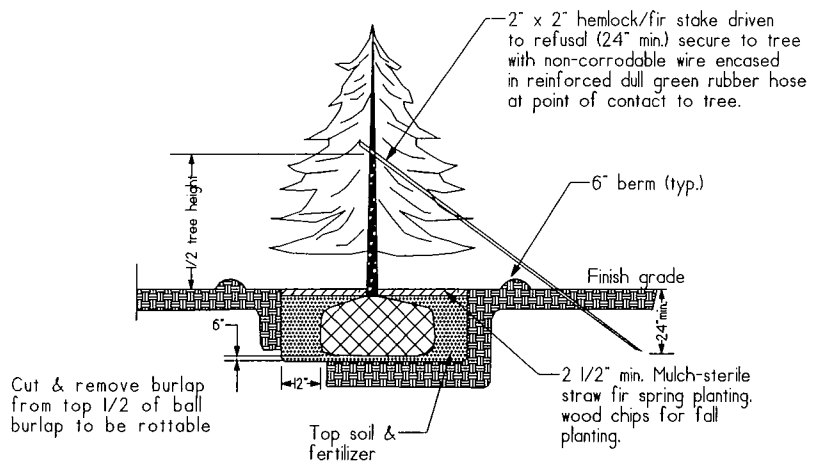
REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

SHEET 7 OF 8
DATE: June 2004



TREE PLANTING DETAIL

NOT TO SCALE

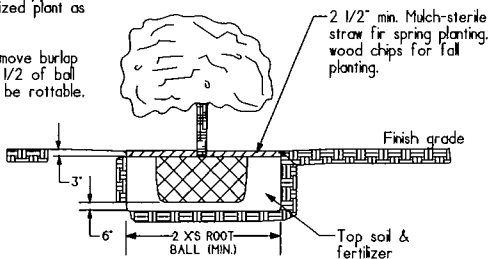


CONIFEROUS TREE PLANTING DETAIL

NOT TO SCALE

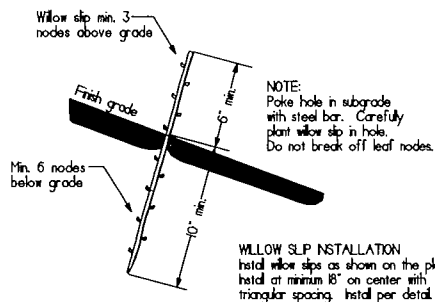
Balled & burlapped or containerized plant as specified.

Cut & remove burlap from top 1/2 of ball burlap to be rottable.



SHRUB PLANTING DETAIL

NOT TO SCALE



WILLOW SLIP DETAIL

NOT TO SCALE

WETLAND SIGN NOTES



Glue sign to 1/2" CDX plywood and attach to 8' 4"x4" cedar or pressure treated post with 5/16"x3" lag bolt. Set post minimum 3' below grade. Wetland sign to sit at approximately 5' height above finish grade.

The wetland/stream sign shall be posted at the boundary between the Sensitive Area Buffer, Setback Area or Setback Tract and the Building Setback Area.

One sign shall be posted per lot for every 150' of Sensitive Area Buffer and shall be stationed in a prominent location, i.e. at the closest point to the proposed development. Signs may also be attached securely to fences.

WETLAND SIGN DETAIL

NOT TO SCALE

Mitigation Site

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REFERENCE: 200001502
APPLICATION BY: IDC Enterprises
AT: Auburn IN: Mill Creek Basin
COUNTY of KING STATE of WA

SHEET 8 OF 8
DATE: June 2004



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: October 6, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200001502 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600